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The Director of Central Intelligence

Washington D.C. 20505

OGC 83-00049

11 January 1983

Honorable David A. Stockman
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Stockman:

This is in response to your request for the views of the Director of Central Intelligence on Enrolled Bill H.R. 3963, the Violent Crime and Drug Enforcement Improvements Act.

The Central Intelligence Agency strongly supports enactment of section 305 of the Bill, the "Federal Intelligence Personnel Protection Act." This legislation would amend 18 U.S.C. § 1114 to provide federal criminal penalties for acts of violence directed at United States intelligence personnel engaged in the performance of their official duties. Federal law currently provides no such criminal liability despite the compelling federal interest in assuring the physical safety of Intelligence Community officers and employees. Section 305 would correct this serious anomaly by according intelligence personnel the protections already available to many categories of federal workers.

We are, however, concerned about section 307 of H.R. 3963, the "National Narcotics Act of 1982," insofar as it would establish an Office of Director of National and International Drug Operations and Policy. The authorities of the proposed Director of this Office, including authority to "coordinate the collection and dissemination of information necessary to implement United States policy with respect to illegal drugs" (§ 307(d)(3)(D)), are broadly yet ambiguously defined without reference to the authorities and responsibilities of other senior government officials. In addition, there appears to be some question as to whether the creation of this proposed new office would actually have a positive impact on the fight against illegal drugs.

We understand that the Department of Justice and various federal law enforcement agencies have very serious concerns with section 307 and other aspects of the Bill. We must, therefore, defer to the judgment of the Department of Justice and the law enforcement agencies as to whether there are defects in the Violent Crime and Drug Enforcement Improvements Act that outweigh its positive features.

Sincerely,

William J. Casey

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Next 1 Page(s) In Document Denied

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